

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NICKOLAS J. BURCH,

Plaintiff,

v.

KRYSTLE RAMOS, MARLIN C.
SEJNOHA, JR., CBM PREMIER
MANAGEMENT, LLC, AND THE
COUNTY OF COOK,

Defendants.

Case No. 1:18-cv-00669

Judge Sharon Johnson Coleman
Magistrate Judge Jeffrey I. Cummings

**PLAINTIFF NICKOLAS J. BURCH'S MOTION TO REDACT
PORTIONS OF THE TRANSCRIPT OF PROCEEDINGS BEFORE THE
HONORABLE JEFFREY CUMMINGS, MAGISTRATE JUDGE, ON JULY 27, 2020**

Pursuant to Local Rule 5.2(b) and the Judicial Conference Policy Regarding the Availability of Transcripts of Court Proceedings, Plaintiff Nickolas J. Burch ("Plaintiff") respectfully moves to redact portions of the Transcript of Proceedings before the Honorable Jeffrey Cummings, Magistrate Judge, on July 27, 2020 ("the Transcript") (Dkt. No. 217). In support of this motion, Plaintiff states as follows:

1. Plaintiff is a detainee at the Cook County Jail. Plaintiff filed a lawsuit pursuant to 42 U.S.C. § 1983 alleging, *inter alia*, that the Sheriff Defendants, the Cermak Defendants, and the CBM defendants¹ (collectively, "Defendants") were deliberately indifferent to Plaintiff's

¹ The Sheriff Defendants are: Carl B. Berry, Jr.; Michael D. Brady; Floyd L. Evans; Roland G. Lankah; Erica L. Queen; Sabrina M. Rivero-Canchola; Darius Wilson; and Sheriff Thomas J. Dart. The Cermak Defendants are: Sandra L. Broughton, R.N.; Andrew Q. De Funiak, M.D.; Linda Holmes-Miller, R.N.; Annika M. Laszczak, L.P.N.; Gregory R. Papiez, M.D.; and Connie Mennella, M.D. The CBM Defendants are: Krystle Ramos, Marlin C. Sejnoha, Jr., and CBM Premier Management, LLC. The Sheriff and Cermak Defendants were substituted by the County of Cook. (See Dkt. Nos. 213, 215.)

serious medical needs and failed to ensure that he received a proper medical diet. (*See* Dkt No. 203.)

2. On July 27, 2020, Plaintiff and Defendants (collectively, “the Parties”) reached a settlement agreement during a settlement conference with Magistrate Judge Cummings.

3. Near the end of the settlement conference, the Parties discussed with Magistrate Judge Cummings certain terms of the settlement agreement on the record.

4. Pursuant to Magistrate Judge Cummings’s Standing Order on Settlement Conferences, “communications during the settlement conference are confidential . . . as set forth in Local Rule 83.5 relating to Confidentiality of Alternative Dispute Resolution Proceedings, and Federal Rule Evidence 408.” Neither the Parties’ settlement discussions nor the settlement terms have been made public by the Court.

5. To maintain the confidentiality of the settlement communications, Plaintiff seeks to redact the portions of the Transcript that reveal the Parties’ discussions regarding the terms of the settlement agreement.

6. Therefore, Plaintiff has attached a copy of the Transcript with his proposed redactions as Exhibit A to this Motion. Plaintiff has proposed to redact only those portions of the Transcript that purport to memorialize or relate to the terms of the settlement agreement reached by the Parties on July 27, 2020.

WHEREFORE, Plaintiff respectfully requests that the Court enter an order permitting the redaction of the Transcript of Proceedings before Magistrate Judge Jeffrey Cummings on July 27, 2020 (Dkt. No. 217) as set forth in Exhibit A of this Motion.

Dated: September 30, 2020

Respectfully submitted,

/s/ Nicole E. Kopinski

Nicole E. Kopinski

Laura M. Schaefer

Wallace H. Feng

LEYDIG, VOIT & MAYER, LTD.

Two Prudential Plaza

180 North Stetson Avenue, Suite 4900

Chicago, IL 60601

Telephone: (312) 616-5600

Facsimile: (312) 616-5700

nkopinski@leydig.com

lschaefer@leydig.com

wfeng@leydig.com

Attorney for Plaintiff Nickolas J. Burch

CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2020, a true and correct copy of the foregoing document was electronically filed through the Court's CM/ECF system with notice of case activity automatically generated and sent electronically to the following counsel of record:

Kevin Thomas
Samuel Comi
Assistant State's Attorney
Civil Actions Bureau—Civil Rights/Torts Litigation
Cook County State's Attorney's Office
500 Richard J. Daley Center
Chicago, IL 60602
(312) 603-5669
(312) 603-7780
kevin.thomas@cookcounty.mail.onmicrosoft.com
samuel.comi@cookcountyil.gov

Counsel for Sheriff Defendants

Mia Buntic
Joi Kamper
Assistant State's Attorney
Cook County State's Attorney's Office
50 West Washington Street, Suite 2760
Chicago, IL 60602
(312) 603-1434
(312) 603-1427
mia.buntic@cookcountyil.gov
joi.kamper@cookcountyil.gov

Counsel for Cermak Defendants

Respectfully submitted,

/s/ Wallace H. Feng

Wallace H. Feng
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza
180 North Stetson Avenue, Suite 4900
Chicago, IL 60601
Telephone: (312) 616-5600
Facsimile: (312) 616-5700
wfeng@leydig.com